

# Notice of Allowability

Application No.

09/829,263

Examiner

Steven P. Sax

Applicant(s)

KELTS, BRETT R.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Examiner's Amendment 3/29/06.
2. ☒ The allowed claim(s) is/are 27-53.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/9/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3/29/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### DETAILED ACTION

1. This application has been examined.
2. An examiner's amendment to the record appears below. This was made to cancel out the rejected claims and keep the allowed claims. Also, claim sets drawn to other statutory categories and containing the same limitations as the allowed claims are also added. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
3. Please rewrite the claims as follows:

Claims 1-26 (Canceled)

27. (Currently Amended) A method for providing a user interface on a television comprising the steps of:
  - displaying a plurality of objects associated with selectable media items at a first level of magnification on said television;
  - receiving a first selection input ~~from an input device~~;
  - zooming in, based on said first selection input, on at least one of said plurality of objects associated with said selectable media items by progressively scaling and

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displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items toward an observer;

displaying on said television, after said zooming step, said at least one of said plurality of objects associated with said selectable media items at a second level of magnification, wherein said second level of magnification is greater than said first level of magnification;

receiving a second selection input from said input device;

zooming out, based on said second selection input, from said at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items away from said observer; and

displaying on said television, after said zooming step, said plurality of objects associated with said selectable media items at said first level of magnification.

28. (Cancelled).

29. (Cancelled)

30. (Currently Amended) The method of claim 27 wherein said step of zooming in further comprises the step of:

changing a visual characteristic of said at least one of said plurality of objects in addition to changes associated with said step of progressively scaling from said first level of magnification to said second level of magnification.

31. (New) The method of claim 27, wherein said selectable media items are associated with at least one of: broadcast information, television networks, pay per view programs, video on demand programs, locally recorded video, television channels, television programs, and service providers.

32. (New) The method of claim 27, wherein said objects are at least one of: symbols and icons.

33. (New) The method of claim 30, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, said visual characteristic of at least one of said objects, further comprises the step of:

changing, as said visual characteristic, a position of said at least one of said objects relative to others of said second number of objects.

34. (New) The method according to claim 30, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, a visual characteristic of at least one of said selection items, further comprises the step of:

changing, as said visual characteristic, a grouping of said at least one of said plurality of objects relative to others of said plurality of objects.

35. (New) The method according to claim 30, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, a visual characteristic of at least one of said selection items, further comprises the step of:

changing, as said visual characteristic, at least one of shape, size, color, design, orientation, text label, visibility factor or motion.

36. (New) The method according to claim 27, wherein said first and second selection inputs are received from an input device and further wherein said input device is one of: a remote control device, a touchpad and a pointing device.

37. (New) The method according to claim 36, wherein said step of receiving a first selection input from said input device further comprises the step of:

receiving an indication that a zoom in button has been actuated on said input device.

38. (New) The method according to claim 36, wherein said step of receiving a second selection input from said input device further comprises the step of:  
receiving an indication that a zoom out button has been actuated on said input device.

39. (New) An interactive program guide system comprising:  
a plurality of objects associated with selectable media items at a first level of magnification displayed on a television;  
a first selection input;  
a zoom-in function for zooming in, based on said first selection input, on at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items toward an observer;  
wherein, after said zoom-in function is actuated, said at least one of said plurality of objects associated with said selectable media items is displayed on said television at a second level of magnification, wherein said second level of magnification is greater than said first level of magnification;  
a second selection input;

a zoom-out function for zooming out, based on said second selection input, from said at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items away from said observer; and

wherein said plurality of objects associated with said selectable media items are displayed on said television after said zoom-out function is actuated at said first level of magnification.

40. (New) The interactive program guide system of claim 39, wherein said zoom-in function further operates to change a visual characteristic of said at least one of said plurality of objects in addition to changes associated with said progressive scaling from said first level of magnification to said second level of magnification.

41. (New) The interactive program guide system of claim 39, wherein said selectable media items are associated with at least one of: broadcast information, television networks, pay per view programs, video on demand programs, locally recorded video, television channels, television programs, and service providers.

42. (New) The interactive program guide system of claim 39, wherein said objects are at least one of: symbols and icons.

43. (New) The interactive program guide system of claim 40, wherein said change of said visual characteristic of said at least one of said plurality of objects, in addition to said changes associated with said progressive scaling from said first level of magnification to said second level of magnification, further comprises:

a change in a position of said at least one of said plurality of objects relative to others of said second number of objects.

44. (New) The interactive program guide system of claim 40, wherein said change of said visual characteristic of said at least one of said plurality of objects, in addition to said changes associated with said progressive scaling from said first level of magnification to said second level of magnification, further comprises:

a change in a grouping of said at least one of said plurality of objects relative to others of said plurality of objects.

45. (New) The interactive program guide system of claim 40, wherein said change of said visual characteristic of said at least one of said plurality of objects, in addition to said changes associated with said progressive scaling from said first level of magnification to said second level of magnification, further comprises:

a change of at least one of shape, size, color, design, orientation, text label, visibility factor or motion associated with said at least one of said plurality of objects.



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46. (New) A tangible computer-readable medium containing instructions embedded thereon which, when executed on a computer, perform the steps of:

displaying a plurality of objects associated with selectable media items at a first level of magnification on a television;

receiving a first selection input;

zooming in, based on said first selection input, on at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items toward an observer;

displaying on said television, after said zooming step, said at least one of said plurality of objects associated with said selectable media items at a second level of magnification, wherein said second level of magnification is greater than said first level of magnification;

receiving a second selection input;

zooming out, based on said second selection input, from said at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items away from said observer; and

displaying on said television, after said zooming step, said plurality of objects associated with said selectable media items at said first level of magnification.

47. (New) The computer-readable medium of claim 46 wherein said step of zooming in further comprises the step of:

changing a visual characteristic of said at least one of said plurality of objects in addition to changes associated with said step of progressively scaling from said first level of magnification to said second level of magnification.

48. (New) The computer-readable medium of claim 46, wherein said selectable media items are associated with at least one of: broadcast information, television networks, pay per view programs, video on demand programs, locally recorded video, television channels, television programs, and service providers.

49. (New) The computer-readable medium of claim 46, wherein said objects are at least one of: symbols and icons.

50. (New) The computer-readable medium of claim 47, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, said visual characteristic of at least one of said objects, further comprises the step of:

changing, as said visual characteristic, a position of said at least one of said objects relative to others of said second number of objects.

51. (New) The computer-readable medium of claim 47, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, a visual characteristic of at least one of said selection items, further comprises the step of:

changing, as said visual characteristic, a grouping of said at least one of said plurality of objects relative to others of said plurality of objects.

52. (New) The computer-readable medium of claim 47, wherein said step of changing, in addition to said changes associated with progressively scaling from said first level of magnification to said second level of magnification, a visual characteristic of at least one of said selection items, further comprises the step of:

changing, as said visual characteristic, at least one of shape, size, color, design, orientation, text label, visibility factor or motion.

53. (New) A system for providing a user interface on a television comprising:  
means for displaying a plurality of objects associated with selectable media items at a first level of magnification on said television;  
means for receiving a first selection input;

means for zooming in, based on said first selection input, on at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items toward an observer;

means for displaying on said television, after said zooming step, said at least one of said plurality of objects associated with said selectable media items at a second level of magnification, wherein said second level of magnification is greater than said first level of magnification;

means for receiving a second selection input;

means for zooming out, based on said second selection input, from said at least one of said plurality of objects associated with said selectable media items by progressively scaling and displaying on said television said at least one of said plurality of objects associated with said selectable media items to provide a visual impression of movement of said at least one of said plurality of objects associated with said selectable media items away from said observer; and

means for displaying on said television, after said zooming step, said plurality of objects associated with said selectable media items at said first level of magnification.

4. Authorization for this examiner's amendment was given in a telephone interview with Mr. Steve DuBois on 3/29/06.

5. The following is an examiner's statement of reasons for allowance: The Examiner's Amendment cancels the rejected claims and leaves only the claims that have the allowable subject matter and thus places the application into condition for allowance. Additional claims are added that have the same limitations as the allowable claims, but merely drawn to different statutory categories. The features as combined in the independent claims (27 –method, 39 –guide system, 46 – computer readable medium, 53 - system) are not set forth in the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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